APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,439	01/19/2001	Kazuma Kaneko	401022	7079

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EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/764,439	KANEKO ET AL.
	Examiner	Art Unit	
	Le Nguyen	2174	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>19 January 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Drawings

1.   Figures 22 and 23 should be designated by a legend such as --Prior Art--

because only that which is old is illustrated. See MPEP § 608.02(g). Corrected

drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action

to avoid abandonment of the application. The replacement sheet(s) should be labeled

"Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

any portion of the drawing figures. If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claims 2 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 2 and 7 recite the limitation "said platform" in lines 22-23 of page 80 and

line 20 of page 82. There is insufficient antecedent basis for this limitation in the claim.

The examiner will interpret "wherein said optional application processing block is

executed on a virtual platform and is independent of said platform" to mean "wherein

said optional application processing block is executed on a virtual machine".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by

DeLorme et al. ("DeLorme").

As per claim 6, DeLorme teaches a navigation apparatus for providing navigation

services comprising a platform block provided with hardware of the navigation

apparatus and basic functions for controlling the hardware (col. 12, lines 3-19), a

navigation application processing block for providing navigation services using the basic

functions provided in the platform block (fig. 1C; col. 14, lines 16-22; col. 27, lines 1-3;

GPS provides "Directions" and graphic representation of the user's progress), an

optional application processing block for providing optional services using any of the

navigation services based on information acquired using the basic functions of the

platform block (figs. 1(B-P); col. 14, lines 9-22; col. 26, lines 34-43; *optional services*

such as providing location and/or time/date "stamps" on digital photos or providing a

substitute or complement for printed travel information such as paper maps or

itineraries) and an interface processing block for communicating with the optional

application processing block and said navigation application processing block so as to

enable any of the optional services to be executed (col. 8, lines 28-67).

Claims 1 and 5 are individually similar in scope to claim 6 and are therefore

rejected under similar rationale.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 2-4, 7-9 and 11-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over DeLorme et al. ("DeLorme") in view of Ito (US 6,256,578).

As per claim 7, although DeLorme teaches a navigation system for providing

navigation services wherein the optional application processing block is executed on an

operating system platform (col. 12, lines 3-19), DeLorme does not explicitly disclose the

execution to be on a virtual machine. Ito teaches a navigation system for providing

navigation services wherein an application processing block is executed on a virtual

machine (Abstract; col. 2, lines 63-67). Therefore it would have been obvious to an

artisan at the time of the invention to include Ito's teaching of an application processing

block being executed on a virtual machine and DeLorme's teaching of an application

processing block on an operating system/platform in order to provide users with an additional platform that interprets an instruction language.

Claim 2 is similar in scope to claim 7 and is therefore rejected under similar rationale.

As per claim 8, although DeLorme teaches a navigation system for providing navigation services wherein the optional application processing block is executed on an operating system platform (col. 12, lines 3-19), DeLorme does not explicitly disclose the application to be a Java application executed on a JVM. Ito teaches a navigation system for providing navigation services wherein the application is a Java application executed on a JVM (col. 2, lines 63-67). Therefore, it would have been obvious to an artisan at the time of the invention to include Ito's teaching of a navigation system for providing navigation services comprising a Java application executed on a JVM to DeLorme's teaching of a navigation system for providing navigation services comprising an application in order to provide users with an operating system independent environment.

Claim 3 is similar in scope to claim 8 and is therefore rejected under similar rationale.

As per claim 9, although DeLorme teaches a navigation system for providing navigation services wherein the interface application block is executed on an operating system platform (col. 12, lines 3-19), DeLorme does not explicitly disclose the application to be a Java application executed on a JVM. Ito teaches a navigation system for providing navigation services wherein the application is a Java application executed

on a JVM (col. 2, lines 63-67). Therefore, it would have been obvious to an artisan at the time of the invention to include Ito's teaching of a navigation system for providing navigation services comprising a Java application executed on a JVM to DeLorme's teaching of a navigation system for providing navigation services comprising an application in order to provide users with an operating system independent environment.

As per claim 11, the modified DeLorme teaches a navigation system for providing navigation services wherein the navigation application processing block executes any of the navigation services in accordance with navigation control data supplied from the optional application processing block via the interface processing block and supplies navigation information data including an interim result or an execution result to the optional application processing block via the interface processing block (DeLorme: figs. 4A-6B; col. 14, lines 16-22; col. 49, line 51 through col. 50, line 11; col. 50, lines 45-57; col. 61, lines 12-32; col. 62, lines 45-57; col. 64, lines 50-63).

As per claim 12, the modified DeLorme teaches a navigation system for providing navigation services wherein the interface processing block generates, when it is determined that the navigation control data from the optional application processing block is composite navigation control data, plural navigation control data sets from the composite navigation control data and supplies the plural navigation control data sets to the navigation application processing block (DeLorme: figs. 4A-6B; col. 14, lines 16-22; col. 49, line 51 through col. 50, line 11; col. 50, lines 45-57; col. 61, lines 12-32; col. 62,

lines 45-57; col. 64, lines 50-63; *displayed are plural navigation control data sets
including route data based on computation of data obtained from the GPS receiver*).

As per claim 13, the modified DeLorme teaches a navigation system for providing
navigation services wherein the interface processing block communicates with the
optional application processing block using socket communication or Java RMI
(DeLorme: figs. 1 and 4; col. 8, lines 58-67; Ito: fig. 2).

Claim 3 is similar in scope to claim 13 and is therefore rejected under similar
rationale.

As per claim 14, the modified DeLorme teaches a navigation system for providing
navigation services wherein the interface processing block communicates with the
navigation application processing block using socket communication (DeLorme: figs. 1
and 4; col. 8, lines 58-67; Ito: fig. 2).

As per claims 15 and 16, the modified DeLorme teaches a navigation system for
providing navigation services wherein the interface processing block acquires a remote
optional application processing block from an external source using the basic functions
of the platform block only when a communication service used by the remote optional
application processing block is available for use (DeLorme: figs. 1A and 2A; *depicts
downloading/uploading data*).

As per claim 17, the modified DeLorme teaches a navigation system for providing
navigation services wherein the interface processing block displays a menu of remote
optional application processing block using the basic functions of said platform block,
adds to the menu the remote optional application processing block when the remote

optional application processing block is acquired from the external source and starts the

acquired remote optional application processing block when selected from the menu

(DeLorme: figs. 1A, 1G, 1(J-L) and 2A; col. 4, lines 34-44; *displayed is a menu of*

remote optional application processing block such as downloaded POIs in menu form).

As per claim 18, the modified DeLorme teaches a navigation system for providing

navigation services wherein said optional application processing block supplies a

request for required communication services to the interface processing block, and the

interface processing block dynamically starts the requested communication services

upon receipt of the request (figs. 1A, 1G, 1(J-L) and 2A; col. 4, lines 34-44).

As per claim 19, the modified DeLorme teaches a navigation system for providing

navigation services wherein said interface processing block acquires a module for

executing the requested communication services corresponding to the request when the

module is not available (col. 23, lines 1-11).

As per claim 20, the modified DeLorme teaches a navigation system for providing

navigation services wherein said optional application processing block provides

collection and delivery information services using any of the navigation services, based

on information acquired from a predetermined center using the basic functions of the

platform block (col. 51, lines 1-41; col. 55, line 58 through col. 56, line 15; col. 71, lines

32-59).

8.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over

DeLorme et al. ("DeLorme") in view of Ito (US 6,256,578).

As per claim 10, although the modified DeLorme teaches a navigation system for providing navigation services wherein the interface application block is provided with one of a method for exchanging data with the optional application processing block and one of a method for exchanging data with the navigation application processing block (DeLorme: figs. 4A-6B; col. 14, lines 16-22; col. 49, line 51 through col. 50, line 11; col. 50, lines 45-57; col. 61, lines 12-32; col. 62, lines 45-57; col. 64, lines 50-63; *the interface provides data exchange with the optional application block and data, and the navigational application block and data structure, wherein both the optional application block and navigational application block read and writes data*), the modified DeLorme does not explicitly disclose using a variable for holding a data value. Official Notice is taken that the use of variables as a place for holding data values is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include the use of variables to DeLorme's teaching of a navigation system for providing navigation services in order to provide users with an implementation preference.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Alexander, Jr. (US 6,083,353) teaches a handheld portable digital geographic data manager.

Takayama et al. (US 2001/0056443 A1) teach an apparatus and method for presenting navigation information based on instructions described in a script.

Bedrosian et al. (US 6,459,782 B1) teach a system and method of developing mapping and directions from caller ID.

Inquires

10.	Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
April 5, 2005

Kristine Kincaid
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